

**Report to:** Lead Member for Transport and Environment

**Date of meeting:** 17 July 2023

**By:** Director of Communities, Economy and Transport

**Title:** Waste Joint Working Agreement (JWA) between East Sussex County Council and Brighton and Hove City Council

**Purpose:** To inform the Lead Member of the changes to the Joint Working Agreement on waste between the two authorities and obtain authority to sign the revised documentation and to request that delegated authority be granted to the Director of Communities, Economy and Transport to authorise future updates

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**RECOMMENDATIONS:** The Lead Member is recommended to:

- (1) Note the revised Joint Working Agreement.**
  - (2) Delegate authority to the Director of Communities, Economy and Transport to approve the updated Joint Working Agreement.**
  - (3) Delegate authority to the Director of Communities, Economy and Transport to approve future updates to the Joint Working Agreement.**
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## **1. Background Information**

1.1. In 2003 East Sussex County Council (ESCC) and Brighton and Hove City Council (the Councils) entered into an Integrated Waste Management Services Contract (IWMSC) with Veolia. The IWMSC will run until March 2033 and is worth around one billion pounds. The project delivers waste infrastructure and disposal services for both authorities.

1.2. The Joint Working Agreement (JWA) regulates the operation of the IWMSC between the two Councils, and in particular the apportionment of payments to and from Veolia as well as between the Councils.

1.3. The JWA requires review to reflect changes to the governance arrangements and working practices that have taken place since it was signed in 2003. Changes were agreed by the Lead Member for Transport and Environment (LMTE) on 15 December 2014, and an updated JWA was signed on 2 December 2015.

1.4. Since then, there have been changes made to the IWMSC which impact cost. Changes now need to be made to the JWA to reflect these and ensure that the payment section (section 7) remains fair and equitable for East Sussex and Brighton.

1.5. The updated JWA corrects situations where costs are shared on a basis that is no longer equitable and more accurate data can be used to share these costs.

## **2. Revisions to the Joint Working Agreement**

2.1. Revisions to the JWA are required due to:

- a) changes to how Waste Electronic and Electrical Equipment is paid for under the Contract;
- b) changes to how mechanical street sweepings are processed and paid for under the Contract;
- c) changes to how certain items taken to the Household Waste Recycling Sites (HWRSs) are processed;

- d) changes to how bulky items are processed and paid for under the Contract;
- e) collection of commercial recycling by Waste Collection Authorities disposed of through the Contract; and
- f) the introduction of charging for certain types of non-household waste at ESCC HWRs.

### **3. Supporting Information**

3.1. Changes that have been made to how contractual payments and incomes are shared between the Councils have been built into the Cost Affordability Model underpinning the IWMSC and risks are provided for through the Waste Risk Reserve. The proposed changes are to provide the fairest outcome and the most equitable sharing of the Contract costs.

3.2. East Sussex officers have worked closely with colleagues in Brighton to develop and finalise the necessary changes. This has included modelling of the potential impact of various scenarios to ensure that any changes or additions have the intended consequences and are fair to both Councils. The amended document has been reviewed and approved by the Joint Waste Board, which manages the implementation and operation of the waste disposal services provided under the IWMSC.

### **4. Conclusion and Reasons for Recommendations**

4.1. The JWA requires the updates to reflect the current financial practices that are being applied to the IWMSC. The document has been revised to be consistent with the joint working arrangements between the Councils. It is therefore recommended that the Lead Member notes the revised JWA and grants delegated authority to the Director of Communities, Economy and Transport to approve the updated JWA.

4.2. It is recommended that the Lead Member grants delegated authority to the Director of Communities, Economy and Transport to approve future updates to the JWA that may be required to maintain fair and equitable sharing of contract costs and income between the Councils.

### **RUPERT CLUBB**

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### **LOCAL MEMBERS**

All

### **BACKGROUND DOCUMENTS**

None